

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 SENATE BILL NO.605

By: McCortney

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5  
6 AS INTRODUCED

7 An Act relating to Insure Oklahoma; directing the  
8 Oklahoma Health Care Authority to establish the  
9 Oklahoma Plan; describing the Plan; providing  
10 eligibility criteria; directing the Authority to seek  
11 certain federal approval; setting forth payment  
12 structure and funding sources; directing the  
13 Authority to enter into certain contracts; setting  
14 forth certain requirements for qualified benefit  
15 plans; assigning oversight of premium assistance  
16 program to the Authority; providing for promulgation  
17 of rules; providing for codification; and providing  
18 an effective date.

19 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

20 SECTION 1. NEW LAW A new section of law to be codified  
21 in the Oklahoma Statutes as Section 1011.3A of Title 56, unless  
22 there is created a duplication in numbering, reads as follows:

23 A. The Oklahoma Health Care Authority shall establish the  
24 Oklahoma Plan within the Insure Oklahoma program. The Oklahoma Plan  
25 shall be a health insurance premium assistance program administered  
26 by the Authority which shall provide coverage through one or more  
27 commercial health insurers to any person who meets the requirements  
28 set forth in subsection B of this section and enrolls in the plan.

1 B. Any person shall be eligible whose household income does not  
2 exceed one hundred thirty-eight percent (138%) of the federal  
3 poverty level (FPL) guidelines, and who:

4 1. Meets the work requirement criteria for the Supplemental  
5 Nutrition Assistance Program (SNAP) set forth in 7 U.S.C., Section  
6 2015(o);

7 2. Qualifies for an exemption set forth in 7 U.S.C., Section  
8 2015(o)(3)(A), (B), (D) or (E); or

9 3. Is otherwise exempt from a work requirement pursuant to  
10 federal Medicaid laws or guidelines.

11 C. The Oklahoma Health Care Authority shall apply to the  
12 Secretary of the United States Department of Health and Human  
13 Services for any necessary federal approval to:

14 1. Allow the Authority to enter into a contract with one or  
15 more commercial health insurers to provide coverage to persons who  
16 enroll in the Oklahoma Plan established pursuant to subsection B of  
17 this section;

18 2. Seek the enhanced Federal Medical Assistance Percentage  
19 (FMAP) rate;

20 3. Seek the federal financial participation for administrative  
21 expenses;

22 4. Allow a person who is determined eligible for advance  
23 payments of the premium tax credit and cost-sharing reductions to  
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1 use such credits and reductions to purchase coverage through the  
2 Oklahoma Care Plan; and

3 5. Implement the additional provisions of this act.

4 D. 1. Upon receipt of federal approval referenced in  
5 subsection C of this section, the Oklahoma Health Care Authority  
6 shall utilize matching funds from the enhanced Federal Medical  
7 Assistance Percentage (FMAP) rate for the premium assistance  
8 program. The Authority may utilize funds from the federal financial  
9 participation described in subsection C of this section for  
10 administrative expenses associated with the Oklahoma Plan and the  
11 state Medicaid program.

12 2. The enrollee shall be responsible for paying a limited  
13 portion of premiums on a sliding scale, depending on income, in  
14 amounts to be determined by the Authority.

15 3. The Authority may assess fees on hospitals and use fee  
16 proceeds including, but not limited to, Supplemental Hospital Offset  
17 Payment Program (SHOPP) proceeds to fund the program.

18 4. Third parties, including but not limited to employers, may  
19 assist with payment of the enrollee's premiums.

20 E. 1. Upon receipt of federal approval referenced in  
21 subsection C of this section, the Oklahoma Health Care Authority may  
22 enter into a contract with one or more providers of insurance to  
23 provide the coverage described in this subsection to persons who  
24 enroll in the Oklahoma Care Plan.

1           2. Qualified benefit plans shall be responsible for ensuring  
2 provider network adequacy, furnishing necessary care coordination  
3 and care management services, providing customer service to members,  
4 paying claims and monitoring quality.

5           3. Qualified benefit plans shall, at a minimum, cover all  
6 services covered under Insure Oklahoma.

7           4. The Authority shall be responsible for the administration  
8 and oversight of the premium assistance program.

9           F. The Oklahoma Health Care Authority Board shall, in  
10 consultation with the Insurance Commissioner, adopt such rules as  
11 are necessary to implement the provisions of this section.

12           SECTION 2. This act shall become effective November 1, 2019.

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